

On appeal, the appellant argues that a Principal Clerk Typist may or may not supervise, as indicated in the definition section of the job specification. She states that she assists in the charge of clerical duties for regular and temporary employees, and she performs clerical work of a complex or technical nature. The appellant argues that her knowledge and duties have increased over the years, and she maintains exceptional performance ratings. She states that she performs more work than her coworkers and does tasks in the absence of the supervisor that other individuals refuse. The appellant indicates that she has trained incoming part-time and temporary staff, and oversees the work of others. She states that a demotion from Principal Clerk Typist to Agency Services Representative 2 is unjust and unfair, and that she has passed an examination for Agency Services Representative 4.

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that in classification appeals, the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for Principal Clerk Typist states:

Under direction of a supervisory official, does clerical work including typing of a complex and/or technical nature requiring knowledge of department laws, regulations, policies, and procedures as well as the frequent exercise of independent judgment, and/or has charge of the work of a large clerical unit; does related work as required.

The definition section of the job specification for Agency Services Representative 2 states:

Under the limited supervision of a supervisory official in a State department, agency or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides information to customers regarding department/agency programs and services; may provide guidance and assistance to clerical staff; does other related work as required.

The definition section of the job specification for Agency Services Representative 3 states:

Under the general supervision of a supervisory official in a State department or agency or institution, provides front-line and behind the scenes customer and other support services involving the review, processing and issuance of agency documents; provides specialized information to customers regarding department/agency programs and services; handles the more complex and/or sensitive customer issues, requests and complaints; does other related work as required.

The major focus of positions classified as Agency Services Representatives is public contact. Incumbents spend a majority of their work time responding to questions and soliciting information, orally and in writing, from members of the general public, co-workers, and others for the purpose of processing agency documents. Other clerical support functions may be assigned from time to time, but should not be the primary emphasis of the position. In addition, the Agency Services Representative 2 performs work which typically does not require in-depth knowledge or familiarity with organizational practices or structure. This incumbent should be able to independently assist customers by answering procedural questions and resolving issues. The Agency Services Representative 3 performs more complex or sensitive work. They are expected to have considerable experience and familiarity with organizational procedures and rules, and be able to provide specialized information of a varied nature. Also, incumbents at this level are expected to perform research and be able to explain laws and regulations, and technical information. They resolve complex, varied and sometimes difficult issues and exercise independent judgment where clear precedent does not exist.

In this case, the appellant's performance evaluation indicates that the major goals of the position are to provide accurate and timely customer service and clerical tasks, and to respond to customer service inquiries and provide accurate information or direction. The audit found that the primary duties of the position are: receives and records referred individuals (referrals) from multiple sources for the New Jersey Managed Long-Term Services and Supports Program (MLTSS); utilizes the Molina (private/multi-state) system to perform background checks on referrals for prior records and current Medicaid status; establishes a referral record in the NJ TeleSys (NJ internal) electronic system, uses TeleSys to communicate with field nurses to schedule, coordinate, and record medical assessments and the status of referral cases; processes assessments using different procedures for those who qualify for MLTSS and those who do not - for qualified referrals provides managed care providers with assessment packages - for those who do not qualify compiles and sends denial packages consisting of the medical assessment, the reasons for denial, and information regarding the appeal process; answers inquiries from customers (e.g., referrals, staff, nurses, and managed care providers) about MLTSS policies and procedures; performs other related duties including, but not limited to, answering phones, utilizing various office equipment, attending meetings, generating reports, and assisting colleagues and coworkers.

The issue addressed by a position classification review is which job specification definition does a position's assigned duties more closely match. In this regard, position classification determinations are based on the *primary functions* assigned to the position. A position's classification is not based on ancillary or intermittent duties. Based upon a thorough review of the information presented in the record, it is clear that the duties of the appellant's position do not match, as a primary focus, the definition for Agency Services Representative 3. The appellant does not handle the more complex and/or sensitive customer issues, requests and complaints. The majority of her time is spent in data entry, processing and updating referrals, providing information, and other routine functions. It is noted that how well or efficiently an employee does her job, length of service, volume of work and qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees are classified. *See In the Matter of Debra DiCello* (CSC, decided June 24, 2009). In a similar vein, the appellant's performance on examinations has no bearing on the classification of a position. The record does not support that the appellant makes independent decisions or performs more complex work. Assisting with tasks in a supervisor's absence is intermittent and are not the primary focus.

Additionally, the Principal Clerk Typist title is supervisory in nature. Support for this position can be found in both the job definition and the examples of work in the job specification. For example, several examples of work reference direct supervision of subordinates, including organizing and assigning work, reviewing work and evaluating subordinate employee performance. Further evidence of the supervisory nature of the title is the fact that the Principal Clerk Typist title is in the "R" ERG. In this respect, titles are assigned to ERGs based on the classification of the position by this agency. *See N.J.S.A. 11A:3-1*. Each ERG is distinctly defined, and the "R" ERG is defined as those titles used in the primary or first level of supervision. *See In the Matter of Alan Handler, et al., Department of Labor and Workforce Development* (CSC, decided October 7, 2015). Accordingly, even if the appellant is performing complex duties, she cannot be classified as a Principal Clerk Typist since she does not supervise. The primary duties of the position fall within the parameters of the definition for Agency Services Representative 2

Accordingly, a thorough review of the entire record fails to establish that the appellant has presented a sufficient basis to warrant an Agency Services Representative 3 or Principal Clerk Typist classification of her position. Therefore, as the appellant's permanent title is Principal Clerk Typist, if it has not already done so, the appointing authority is directed to effectuate the recommended change in the classification of the appellant's position; assign her duties and responsibilities commensurate with her permanent title; or reassign her duties and responsibilities to which the appellant has permanent rights. *See N.J.A.C. 4A:3-3.5*.

ORDER

Therefore, the position of Latifah Napier is properly classified as Agency Services Representative 2.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21ST DAY OF JULY, 2021

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